

ELECTRONICALLY FILED
JUNE 2, 2006

STUTMAN, TREISTER & GLAIT, P.C.
JEFFREY H. DAVIDSON
(CA State Bar No. 73980)
FRANK A. MEROLA
(CA State Bar No. 136934)
CHRISTINE M. PAJAK
(CA State Bar No. 217173), Members of
1901 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067
Telephone: (310) 228-5600
E-mail: jdavidson@stutman.com
fmerola@stutman.com
cpajak@stutman.com

SHEA & CARLYON, LTD.
JAMES PATRICK SHEA
(Nevada State Bar No. 000405)
CANDACE C. CARLYON, ESQ.
(Nevada State Bar No. 002666)
SHLOMO S. SHERMAN, ESQ.
(Nevada State Bar No. 009688)
233 South Fourth Street, Second Floor
Las Vegas, Nevada 89101
Telephone: (702) 471-7432
E-mail: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

(Proposed) Counsel for the Official Committee of
Equity Security Holders of USA Capital First Trust
Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:	) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY	) Chapter 11
Debtor)
<hr/>	
In re:	) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	) Chapter 11
Debtor)
<hr/>	
In re:	) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	) Chapter 11
Debtor)
<hr/>	
In re:	) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	) Chapter 11
Debtor.)
<hr/>	
In re:	) BK-S-06-10729-LBR
USA SECURITIES, LLC,	) Chapter 11
Debtor.)
<hr/>	
Affects)
)
<input checked="" type="checkbox"/> All Debtors	) Date: June 5, 2006
<input type="checkbox"/> USA Commercial Mortgage Co	) Time: 9:30 a.m.
<input type="checkbox"/> USA Securities, LLC)
<input type="checkbox"/> USA Capital Realty Advisors, LLC)
<input type="checkbox"/> USA Capital Diversified Trust Deed)
<input type="checkbox"/> USA First Trust Deed Fund, LLC)

**CERTIFICATE OF SERVICE OF OPPOSITION OF THE OFFICIAL COMMITTEE
OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND,
LLC TO APPLICATION OF THE OFFICIAL COMMITTEE OF HOLDERS OF
EXECUTORY CONTRACT RIGHTS THROUGH USA COMMERCIAL MORTGAGE
COMPANY TO EMPLOY GORDON & SILVER, LTD. (AFFECTS ALL DEBTORS)**

I HEREBY CERTIFY that on the 2nd day of June, 2006 I served the following document:

Opposition Of The Official Committee Of Equity Security Holders Of Usa Capital First Trust Deed Fund, LLC To Application Of The Official Committee Of Holders Of Executory Contract Rights Through USA Commercial Mortgage Company To Employ Gordon & Silver, Ltd. (Affects All Debtors)

I served the above named document(s) by the following means to the persons as listed below:

- ☒ a. **ECF System.** See attached Notice of Electronic Filing, Exhibit "1" hereto.
- ☐ b. **United States mail, postage full prepaid to the following:**
- ☐ c. **Personal service.**

I personally delivered the documents to the persons at these addresses:

- ☐ For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge, by leaving the document(s) in a conspicuous place in the office.
- ☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there

- ☐ d. **By direct email.**

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission.**

Based upon the written agreement of the parties to accept serve by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger.**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 2nd day of June, 2006

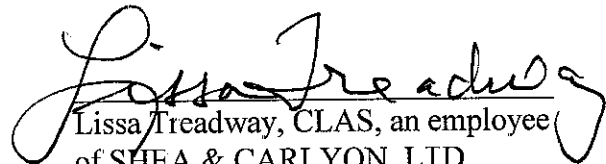

Lissa Treadway, CLAS, an employee
of SHEA & CARLYON, LTD.

EXHIBIT "1"

From: USBC_NEVADA@nvb.uscourts.gov
Sent: Friday, June 02, 2006 10:46 AM
To: Courtmail@nvb.uscourts.gov
Subject: 06-10725-lbr Opposition

*****NOTE TO PUBLIC ACCESS USERS*** You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.**

U.S. Bankruptcy Court

District of Nevada

Notice of Electronic Filing

The following transaction was received from SHERMAN, SHLOMO S. entered on 6/2/2006 at 10:46 AM PDT and filed on 6/2/2006

Case Name: USA COMMERCIAL MORTGAGE COMPANY
Case Number: 06-10725-lbr
Document Number: 447

Docket Text:

Opposition Filed by SHLOMO S. SHERMAN on behalf of OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s) [378] Application to Employ, filed by Creditor Committee OFFICIAL COMMITTEE OF EXECUTORY CONTRACT HOLDERS OF USA COMMERCIAL MORTGAGE COMPANY.) (SHERMAN, SHLOMO)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:Z:\USA Investors Committee #1500\Electronic Filing\opp to employment of G&S 6-2-06.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=989277954 [Date=6/2/2006] [FileNumber=6948474-0]
[9408bedd7ba7afda611fb9a603ffa524664e0556d0fc4c8a0202ef39667cbe2f49ccc
5b9158b97f1d0cab4f30f0cfb8968a0c3d019dbc53e889269cb0a18f7f3]]

06-10725-lbr Notice will be electronically mailed to:

FRANKLIN C. ADAMS franklin.adams@bbklaw.com, arthur.johnston@bbklaw.com

KELLY J. BRINKMAN kbrinkman@gooldpatterson.com,

MATTHEW Q. CALLISTER mqc@callister-reynolds.com, maggie@callister-reynolds.com

CANDACE C. CARLYON ltreadway@sheacarlyon.com,

6/2/2006

ccarlyon@sheacarlyon.com;bankruptcyfilings@sheacarlyon.com;rsmith@sheacarlyon.com

ROB CHARLES rcharles@lrlaw.com, cjordan@lrlaw.com

KEVIN B. CHRISTENSEN kbchrislaw@aol.com,

JANET L. CHUBB tbw@jonesvargas.com

JEFFREY A. COGAN jeffrey@jeffreycogan.com, sarah@jeffreycogan.com

WILLIAM D COPE cope_guerra@yahoo.com, cope_guerra@yahoo.com

CICI CUNNINGHAM bankruptcy@rocgd.com

LAUREL E. DAVIS bklsclv@lionelsawyer.com,
ldavis@lionelsawyer.com;gbagley@lionelsawyer.com;ldavisesq@aol.com

THOMAS H. FELL BANKRUPTCYNOTICES@GORDONSILVER.COM

SCOTT D. FLEMING sfleming@halelane.com, dbergsing@halelane.com,ecfvegas@halelane.com

GREGORY E. GARMAN bankruptcynotices@gordonsilver.com

TALITHA B. GRAY bankruptcynotices@gordonsilver.com

MARJORIE A. GUYMON ! bankruptcy@goldguylaw.com, ddias@goldguylaw.com

EDWARD J. HANIGAN haniganlaw@earthlink.net, haniganlaw1@earthlink.net

XANNA R. HARDMAN xanna.hardman@gmail.com,

CHRISTOPHER D. JAIME cjaime@waltherkey.com, kbernhar@waltherkey.com

EVAN L. JAMES ejameslv@earthlink.net, kbchrislaw@aol.com

ANNETTE W. JARVIS ,

ROBERT R. KINAS rkinas@swlaw.com,
mstrand@swlaw.com;jlustig@swlaw.com;lholding@swlaw.com;imccord@swlaw.com

NILE LEATHAM nleatham@klnevada.com, ckishi@klnevada.com;bankruptcy@klnevada.com

ROBERT C. LEPOME ! robert@robertlepome.com, susan@robertlepome.com

REGINA M. MCCONNELL rmccconnell@kssattorneys.com,

WILLIAM L. MCGIMSEY lawoffices601@lvcoxmail.com,

RICHARD MCKNIGHT mcknightlaw@cox.net,
gkopang@lawlasvegas.com;cburke@lawlasvegas.com,sforemaster@lawlasvegas.com

JEANETTE E. MCPHERSON bkfilings@s-mlaw.com

DAVID MINCIN mcknightlaw@cox.net,
gkopang@lawlasvegas.com;dmincin@lawlasvegas.com;cburke@lawlasvegas.com;sforemaster@lawlasv

JOHN F. MURTHA jmurtha@woodburnandwedge.com

DONNA M. OSBORN jinouye@marquisaurbach.com, dosborn@ma!
rquisaurbach.com;tszostek@marquisaurbach.com;jcrowe@MarquisAurbach.com;kgallegos@MarquisA

DONALD T. POLEDNAK sandplegal@yahoo.com, spbankruptcy@yahoo.com

SUSAN WILLIAMS SCANN sscann@deanerlaw.com, palexander@deanerlaw.com

LENARD E. SCHWARTZER bkfilings@s-mlaw.com

SHLOMO S. SHERMAN ssherman@sheacarlyon.com,
aboehmer@sheacarlyon.com;bankruptcyfilings@sheacarlyon.com;ltreadway@sheacarlyon.com;mmallet

JEFFREY G. SLOANE gjklepel@yahoo.com, rmccconnell@kssattorneys.com

PETER SUSI cheryl@msmlaw.com, msm@msmlaw.com

CARYN S. TIJSSELING cst@beesleyandpeck.com, aha@bee!sleyandpeck.com

U.S. TRUSTEE - LV - 11 USTPRegion17lv.ecf@usdoj.gov,

JOAN C. WRIGHT jwright@allisonmackenzie.com, jbrooks@allisonmackenzie.com

MATTHEW C. ZIRZOW bankruptcynotices@gordonsilver.com

06-10725-lbr Notice will not be electronically mailed to:

JOSHUA D. BRYSK
LAW OFFICES OF JAMES G. SCHWARTZ
7901 STONERIDGE DRIVE, SUITE 401
PLEASANTON, CA 94588

ANNETTE W. JARVIS
POB 45385
36 SOUTH STATE STREET, #1400
SALT LAKE CITY, UT 84145-0385

RICHARD J. MASON
130 PINETREE LANE
RIVERWOODS, IL 60015

JAY L. MICHAELSON

DOUGLAS M MONSON
RAY QUINNEY & NEBEKER P.C.
36 SOUTH STATE STREET
SUITE 1400
PO BOX 45385
SALT LAKE CITY, UT 84145-0385

ERVEN I NELSON
6060 W. ELTON AVENUE, SUITE A
LAS VEGAS, NV 89107

NICHOLAS J SANTORO
400 S FOURTH ST 3RD FLOOR
LAS VEGAS, NV 89101

MICHAEL M. SCHMAHL !
MCGUIREWOODS LLP
77 W. WACKER DRIVE, SUITE 4100
CHICAGO, IL 60601

JAMES G SCHWARTZ
7901 STONERIDGE DR #401
PLEASANTON, CA 94588

PATRICIA K. SMOOTS
318 N GROVE
OAK PARK, IL 60302

BRADLEY J STEVENS
3300 N CENTRAL AVE
PHOENIX, AZ 85012

BRADLEY J STEVENS
3300 N CENTRAL AVE #1800
PHOENIX, AZ 85012

STEVEN C STRONG
RAY QUINNEY & NEBEKER P.C.
36 SOUTH STATE STREET
SUITE 1400
SALT LAKE CITY, UT 84145-0385

GREGORY J WALCH
400 S FOURTH ST 3RD FLOOR
LAS VEGAS, NV 89101

WILLIAM E WINFIELD
POB 9100
OXNARD, CA 93031

6/2/2006